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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 6193 of 2007
Date of decision: 30.11.2007

Harjit Singh Nanda and others

...Petitioners

Versus

M/s Manappuram Finance (Tamilnadu) Pvt. Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Rakesh Verma, Advocate for the petitioners.

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RAJESH BINDAL, J.

The challenge in the present petition is to the order dated November 20, 2007 passed by learned Lower Appellate court whereby in appeal filed by the respondent/plaintiff against the order passed by the trial Court in application under Order 39 Rule 1 and 2 of the Code of Civil Procedure, interim stay was granted in favour of respondent/plaintiff.

In the present case, respondent/plaintiff filed suit seeking permanent injunction against the petitioners from interfering in the peaceful possession of the first floor of the demised premises, which was taken on lease by it. The case set up by the petitioners was that they had terminated the lease in terms of the agreement. The trial Court while considering the application directed the respondent/plaintiff to vacate the premises in question and remove the fittings on or before November 12, 2007. The order was passed on November 7, 2007. In case the relief prayed for the by the petitioners is granted, the suit itself may become infructuous and the respondent will suffer irreparable loss. In the present case, respondent had taken the premises on lease from the petitioners and had furnished the same according to its need. Under these circumstances, in my opinion, the

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learned Lower Appellate Court, had rightly granted interim injunction in favour of the respondent. However, keeping in view the nature of the controversy involved, I direct the trial Court to dispose of the suit expeditiously and preferably within a period of nine months from the date of receipt of a copy of this order.

The revision petition is disposed of, accordingly.

November 30, 2007 **(Rajesh Bindal)**
Pka **Judge**